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Knode/ARTD/R7/USEPA/US
03/07/2006 10:38 AM

To Dave Phelps <Dave.Phelps@dnr.state.ia.us>
cc DPeter@kdhe.state.ks.us, R7 ARTD-APCO, Peter
Fulweiler/ENSV/R7/USEPA/US@EPA, Clint
Sperry/ENSV/R7/USEPA/US@EPA, Paul
bcc
Subject Reduced Recordkeeping under NSPS Subpart Dc 

Dave and others,

Yes! We can finally stop making the site-specific reduced recordkeeping approvals for NSPS Subpart Dc units. The recently revised rules, in 40 CFR 60.48c(g), now allow the owner or operator to maintain its fuel usage on a monthly basis for units firing natural gas, "very low sulfur oil" or other gaseous or liquid fuels with a potential SO₂ emission rate of 0.32 #/mmBtu or less. Units firing oil will still have to maintain records on fuel vendor certifications and provide as part of their semi-annual reports, but these procedures are outlined in the rule and don't require any special review on the part of implementing agencies.

The one thing we lose (at least in Region 7) by no longer doing site specific approvals is the annual reporting for natural-gas-only units. Since these sources aren't required by rule to install a continuous monitoring system (CMS), they have no obligations under 40 CFR 60.7 to report. But, in exchange for the more liberal recordkeeping frequency, we still wanted them to verify at least once a year that they burned only natural gas. If we don't issue site specific approvals, there is no way to establish this requirement directly. For any prior EPA Region 7 approval containing annual reporting for natural-gas-only units, we now view that obligation as moot. You will want to consider whether you want to retain this obligation as part of your construction and operating permit programs. Or, maybe you just want to verify natural-gas-only operation in conjunction with the annual compliance certifications or emission inventories.

I anticipate we may get some questions about the transition from the old rule to the new. Since the revised rule does not establish a cut-off date for the monthly recordkeeping requirement, it appears it is meant to apply to all Subpart Dc units irrespective of when they are constructed. As a result, we no longer intend to process any requests for alternative recordkeeping for units eligible for the monthly frequency. We have several requests in the pipeline here in Region 7 and will notify the applicants that they should just follow the new rule. We may also get requests from sources asking to be relieved of their prior obligations under a reduced recordkeeping approval. At this time, given other priorities, Region 7 does not plan to do a mass withdrawal, process site specific withdrawals or make any other revisions to reduced recordkeeping plans we have already approved. Instead, we will advise anyone holding a Region 7 approval that have two options 1) continue to follow their approval, or 2) follow the rule alone. For states like Iowa and Kansas, where you implement these obligations directly through your construction permits, we'll leave to your discretion how best to resolve any remaining discrepancies between the rule and your permits. For example, you may want to exercise enforcement discretion with your permits until you have a chance to update during the next round of Title V or FESOP (and corresponding fix to your NSR permits) renewals. In Missouri and Nebraska, where we issued the approvals and the states incorporated into permits, we will now defer to the rule alone and allow you to exercise discretion with any permits that contain the previous reduced recordkeeping obligations. Like in Iowa and Kansas, any conflicting permits should be corrected at the next permit renewal.

You may want to circulate this message to your local agencies or other permitting staff that have had to deal with these issues in the past. I will also post on our Region 7 Policy & Guidance website < <http://www.epa.gov/region07/programs/artd/air/policy/policy.htm> > to advise the Region 7 Subpart Dc affected community how to proceed with any past or present reduced recordkeeping request.

If you have any questions, please let me know.

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For more information about the Region 7 Air Program, see....
<http://www.epa.gov/region07/programs/artd/air/air.htm>

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03/07/2006 08:47 AM

To Jon Knodel/ARTD/R7/USEPA/US@EPA, Robert
Webber/ARTD/R7/USEPA/US@EPA

cc

Subject Changes to subpart Dc

Now that Dc is going to monthly reporting (and is final) can we stop sending the requests for monthly recordkeeping for Dc boilers down to you guys? Seems rather redundant now. Thanks. Dave